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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/859,459	05/18/2001	Tatsuya Mitsugi	Q64099	3961

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SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
SUITE 800
2100 PENNSYLVANIA AVE., N.W.
WASHINGTON, DC 20037

EXAMINER	
FERGUSON, KEITH	

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 05/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/859,459	MITSUGI, TATSUYA	
	Examiner	Art Unit	
	Keith T. Ferguson	2683	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 May 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 7.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3,5,6 and 9-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witsaman et al. in view of Miyake et al..

Regarding claims 1,5 and 6, Witsaman et al. discloses a network system (fig. 2) connecting plural information communicating devices (MOP and paging station controller) (fig. 2 numbers 24 and 58) for communicating information to each other through a communication network (wireless network)(PSTN) (fig. 1,fig.2, col. 3 lines 1-40 and col. 5 line 46 through col. 6 line 60), each of the information communicating devices comprising: a receiving means for receiving information including a first time (i.e. time from satellite) information having a time data attached with a reliability data (accurate time signals)(col. 6 lines 1-31), and a transmitting means for transmitting

information including a second time (time difference factor) information (col. 6 lines 15-28) with a own reliability data (correction time data) according to own device to the communication network (col. 6 lines 15-28). Witsaman et al. differs from claim 1 of the present invention in that it does not disclose transmitting means having said first time information attached. Miyake et al. teaches a base station (fig. 1A number 2) having transmitting means (fig. 1A number 4) for sending satellite time information (first time information) to a mobile radio (paragraph 0017 lines 1-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Witsaman et al. with transmitting means having said first time information attached in order for the MOP to send the satellite time and differential time correction signal to the paging terminal so that the paging terminal could determine how off the paging terminal clock is in error of the satellite time when needing to synchronized with the network, as taught by Miyake et al..

Regarding claims 2 and 14, Witsaman et al. discloses a time data generating means for generating a own time data of own device (col. 3 lines 1-38 and col. 6 lines 5-31), a time data extracting means for extracting said first time information having said time data with said reliability data from said information received by said receiving means (col. 3 lines 1-38 and col. 6 lines 5-31), a time data comparing means for comparing

said own time data with said time data with said reliability data in said first time information (col. 3 lines 1-38 and col. 6 lines 5-31), and a time correcting means for correcting said time generating means based on a comparison result by said time data comparing means (col. 3 lines 1-38 and col. 6 lines 5-31).

Regarding claim 3, Witsaman et al. discloses said time data comparing means compares said own time data when said time data with said reliability data in said first time information is within a predetermined range (col. 9 lines 50-66).

Regarding claim 9, Witsaman et al. discloses own reliability data attached to said first time information is based on a processing time required from receiving to transmitting in the information communicating device (col. 7 lines 2-17).

Regarding claim 10, Witsaman et al. discloses said reliability data attached to said time data in said first time information is based on the number of said information communicating devices through which said time data passed (col. 7 lines 17-32).

Regarding claim 11, Witsaman et al. discloses a time data extracting device for extracting said time data transmitted from a GPS satellite (col. 6 lines 5-31), wherein said time data extracting device transmits a time information including said time data attached with a reliability data of own device to said information communicating device (col. 6 lines 5-31).

Regarding claim 12, Witsaman et al. discloses said information communicating device requests said time data extracting device to transmit information including said time data (col. 6 lines 5-8).

Regarding claim 13, Witsaman et al. discloses a information communicating device (fig. 2 number 56) for communicating information with other information communicating devices (fig. 2 numbers 24 and 22) through a communication network (fig. 2), the information communicating device (fig. 2 number 56) comprising a receiving means for receiving information including a first time information (i.e. time from satellite) having a time data attached with a reliability data (accurate time signals)(col. 6

lines 1-31), and a transmitting means for transmitting information including a second time information (correction time data) with a own reliability data according to own device to the communication network (col. 6 lines 15-28). Witsaman et al. differs from claim 13 of the present invention in that it does not disclose transmitting means having said first time information attached. Miyake et al. teaches a base station (fig. 1A number 2) having transmitting means (fig. 1A number 4) for sending satellite time information (first time information) to a mobile radio (paragraph 0017 lines 1-17). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Witsaman et al. with transmitting means having said first time information attached in order for the MOP to send the satellite time and differential time correction signal to the paging terminal so that the paging terminal could determine how off the paging terminal clock is in error of the satellite time when needing to synchronized with the network, as taught by Miyake et al..

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Witsaman et al. in view of Miyake et al. as applied to claim 1 above and in further view of Sayers et al..

Regarding claim 4, the combination of Witsaman et al. and Miyake et al. differs from claim 4 of the present invention in that they do not disclose said communication network includes internet. Sayers et al. teaches an internet network (fig. 1 number 25). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made To modify the combination of Witsaman et al. and Miyake et al. with said communication network includes internet in order to synchronized the paging terminal clock when communicating through the an internet web site, as taught by Sayers et al.

4. Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Witsaman et al. in view of Miyake et al. as applied to claim 1 above and in further view of Nemovicher.

Regarding claims 7 and 8, the combination of Witsaman et al. and Miyake et al. differs from claims 7 and 8 of the present invention in that they do not disclose said second time information is transmitted by an E-mail or web. Nemovicher teaches time information is received from satellite communication and transmitted by an E-mail (inherently for transmitting e-mail, taught in paragraph 0057 lines 1-7).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Witsaman et al. and Miyake et al. with said second time information is transmitted by an E-mail or Web in order to send an e-mail message through an internet network to the paging terminal to synchronize the paging terminal clock, as taught by Nemovicher.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Keith Ferguson
Art Unit 2683
May 14, 2004